

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

UNITED STATES OF AMERICA §  
§  
v. § No. 4:20-CR-212  
§ Judge Mazzant  
KAYLEIGH MOFFETT (2) §

**FACTUAL BASIS**

The defendant, **Kayleigh Moffett**, hereby stipulates and agrees that at all times relevant to the Fifth Superseding Indictment herein, the following facts were true:

1. That the defendant, **Kayleigh Moffett**, who is changing her plea to guilty, is the same person charged in the Fifth Superseding Indictment.
2. That the events described in the Fifth Superseding Indictment occurred in the Eastern District of Texas and elsewhere.
3. That in some way or manner, **Kayleigh Moffett**, made an agreement with co-conspirators to commit the crime charged in the Fifth Superseding Indictment, to knowingly conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, which involved the proceeds of a specified unlawful activity, that is, Wire Fraud, to-wit: **Kayleigh Moffett** received proceeds in multiple transactions which were the proceeds from the co-conspirators wire fraud violations, knowing that the transactions were designed in whole or in part to conceal and disguise the nature, location, source, ownership, and control of the proceeds of the specified unlawful activity.

4. That **Kayleigh Moffett** knew the unlawful purpose of the agreement and joined in it with the intent to further it.

5. That **Kayleigh Moffett**'s role in this conspiracy was to assist co-conspirators by wiring proceeds of the wire fraud violations as directed by other co-conspirators. **Kayleigh Moffett** was paid with proceeds from the wire fraud violations for assisting the co-conspirators. Records of these transactions were kept on a server which contained the business records of Aircraft Guaranty Corporation (AGC) and Wright Brothers Aircraft Title (WBAT) in Denton, Texas, Eastern District of Texas.

6. That **Kayleigh Moffett** did knowingly and intentionally conspire with others to avoid export reporting requirements for aircraft purchased in the United States and exported outside of the United States. **Kayleigh Moffett** and others knowingly failed to file Electronic Export Information (EEI) on the Automated Export System for aircrafts being exported from the United States as required by 18 USC §§ 554 and 13 U.S.C. § 305.

**DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT**

7. I have read this Factual Basis and the Fifth Superseding Indictment and have discussed them with my attorney. I fully understand the contents of this Factual Basis and agree without reservation that it accurately describes the events and my acts.

Dated: 4-9-2023

  
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KAYLEIGH MOFFETT  
Defendant

**COUNSEL FOR DEFENDANT'S SIGNATURE AND ACKNOWLEDGMENT**

8. I have read this Factual Basis and the Fifth Superseding Indictment and have reviewed them with my client. Based upon my discussions with the defendant, I am satisfied that the defendant understands the Factual Basis and the Fifth Superseding

Indictment.

Dated:

4-9-2023

Brett Behenna  
WILLIAM BRETT BEHENNA  
Attorney for the defendant